

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02342-CKK**

TOBIAS v. UNITED STATES DEPARTMENT OF
INTERIOR, OFFICE OF THE SECRETARY
Assigned to: Judge Colleen Kollar-Kotelly
Cause: 05:552 Freedom of Information Act

Date Filed: 10/10/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JIMMY TOBIAS**

represented by **Merrick Jason Wayne**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Joshua Hart Burday
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshb@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant

**UNITED STATES DEPARTMENT OF
INTERIOR, OFFICE OF THE
SECRETARY**

represented by **Marina Utgoff Braswell**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2561
Fax: (202) 252-2599
Email: Marina.Braswell@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/10/2018	<u>1</u>	COMPLAINT against UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY (Filing fee \$ 400 receipt number 0090-5730478) filed by JIMMY TOBIAS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E, # <u>6</u> Exhibit F, # <u>7</u> Exhibit G, # <u>8</u> Exhibit H, # <u>9</u> Exhibit I, # <u>10</u> Exhibit J, # <u>11</u> Exhibit K, # <u>12</u> Exhibit L, # <u>13</u> Exhibit M, # <u>14</u> Civil Cover Sheet Civil Cover Sheet, # <u>15</u> Summons Summons)(Burday, Joshua) (Entered: 10/10/2018)
10/10/2018	<u>2</u>	NOTICE of Appearance by Joshua Hart Burday on behalf of JIMMY TOBIAS (Burday, Joshua) (Entered: 10/10/2018)
10/11/2018		Case Assigned to Judge Colleen Kollar-Kotelly. (zrdj) (Entered: 10/11/2018)
10/11/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zrdj) (Entered: 10/11/2018)

10/17/2018	<u>4</u>	ORDER ESTABLISHING PROCEDURES FOR CASES ASSIGNED TO JUDGE COLLEEN KOLLAR-KOTELLY. Signed by Judge Colleen Kollar-Kotelly on 10/17/18. (DM) (Entered: 10/17/2018)
10/31/2018	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY served on 10/4/2018 (Burday, Joshua) Modified date served on 11/6/2018 (ztd). (Entered: 10/31/2018)
10/31/2018	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 10/23/2018. (Burday, Joshua) (Entered: 10/31/2018)
10/31/2018	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 10/23/2018. Answer due for ALL FEDERAL DEFENDANTS by 11/22/2018. (Burday, Joshua) (Entered: 10/31/2018)
11/21/2018	<u>8</u>	NOTICE of Appearance by Marina Utgoff Braswell on behalf of UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY (Braswell, Marina) (Entered: 11/21/2018)
11/21/2018	<u>9</u>	ANSWER to Complaint by UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY.(Braswell, Marina) (Entered: 11/21/2018)
11/30/2018	<u>10</u>	ORDER. The parties shall file the schedule not later than JANUARY 4, 2019 . Signed by Judge Colleen Kollar-Kotelly on November 30, 2018. (lcckk1) (Entered: 11/30/2018)
11/30/2018		Set/Reset Deadlines: Joint Status Report proposing a Schedule for proceeding in this matter due by 1/4/2019. (dot) (Entered: 11/30/2018)
01/03/2019	<u>11</u>	Consent MOTION to Stay (<i>Defendant's Consent Motion to Stay Proceedings in Light of Lapse of Appropriations</i>) by UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY (Braswell, Marina) (Entered: 01/03/2019)
01/03/2019		MINUTE ORDER: The Court has received Defendant's <u>11</u> Consent Motion to Stay Proceedings in Light of Lapse of Appropriations. Defendant fails to acknowledge the tardiness of its <u>11</u> Consent Motion pursuant to the Court's standing order. <i>See</i> Order Establishing Procedures for Cases Assigned to Judge Colleen Kollar-Kotelly, ECF No. <u>4</u> , ¶ 7(A) (requiring at least four business days' notice). Nevertheless, with Plaintiff's consent, and in an exercise of the Courts discretion, the Court shall GRANT Defendant's <u>11</u> Consent Motion. The Court shall STAY the deadline for the Joint Status Report otherwise due by January 4, 2019. The deadline is tolled commensurate with the length of the lapse of appropriations to the U.S. Department of Justice. The parties shall file a notice within two business days of the restoration of the U.S. Department of Justice's funding and the resumption of its operations. Signed by Judge Colleen Kollar-Kotelly on January 3, 2019. (lcckk1) (Entered: 01/03/2019)
02/08/2019	<u>12</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY. (Braswell, Marina) (Entered: 02/08/2019)
02/11/2019		MINUTE ORDER: The Court has received the parties' <u>12</u> Joint Status Report. They appropriately recognize the restoration of funding to the government. <i>See</i> Min. Order of Jan. 3, 2019. Accordingly, the Court hereby LIFTS the stay in this matter. Defendant indicates that it is in the midst of searching for responsive records. The Court shall adopt the parties' proposal that they file a further Joint Status Report by APRIL 12, 2019 , identifying the status of Defendant's processing and the parties' discussions, and proposing a schedule for further proceedings. Signed by Judge Colleen Kollar-Kotelly on February 11, 2019. (lcckk1) (Entered: 02/11/2019)
04/12/2019	<u>13</u>	Joint STATUS REPORT by JIMMY TOBIAS. (Burday, Joshua) (Entered: 04/12/2019)
04/15/2019		MINUTE ORDER: The Court has received the parties' <u>13</u> Joint Status Report, which indicates that Defendant has made further progress in its searches and that the parties intend to confer so that Defendant processes documents according to Plaintiff's priorities. The Court shall adopt the parties' proposal that they file a further Joint Status

		Report by MAY 30, 2019 . That Report shall include the status of Defendant's searches, review, and production; provide an update as to the parties' discussions; and propose a schedule for further proceedings. The parties shall file a further Joint Status Report no later than every forty-five days thereafter, unless and until the Court orders otherwise. Signed by Judge Colleen Kollar-Kotelly on April 15, 2019. (lcckk1) (Entered: 04/15/2019)
04/15/2019		Set/Reset Deadlines: Joint Status Report due by 5/30/2019. (dot) (Entered: 04/15/2019)
05/30/2019	<u>14</u>	Joint STATUS REPORT by JIMMY TOBIAS. (Burday, Joshua) (Entered: 05/30/2019)
07/15/2019	<u>15</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF INTERIOR, OFFICE OF THE SECRETARY. (Braswell, Marina) (Entered: 07/15/2019)
08/06/2019	<u>16</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of JIMMY TOBIAS (Wayne, Merrick) (Entered: 08/06/2019)